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10 Attorney for Defendant

11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE DISTRICT OF ARIZONA

14 United States of America, ) Case № CR 97-162-TUC-RCC/HCE-03  
15 Plaintiff, ) Case № CR 98-937-TUC-RCC/HCE  
16 vs. ) Case № CR 06-1183-TUC-RCC/HCE  
17 Frederick Albert Narcho, )  
18 Defendant. )  
19  
20 **MOTION TO CONTINUE**  
21 **EVIDENTIARY HEARING**  
22 (1<sup>st</sup> Request)

23 It is expected excludable delay as defined in 18 U.S.C. §3161(h)(8)(A) and (B)(1) and  
24 (iv), applicable to Fed.R.Crim.Proc., Rule 32.1(b)(2), will occur as a result of this motion or  
25 any order based thereon.

26 Defendant, FREDERICK ALBERT NARCHO, through Jon M. Sands, Federal Public  
27 Defender, by Heather E. Williams, Assistant Federal Public Defender, makes his first request  
28 for continuance of the evidentiary hearing set for June 19, 2009 at 9:10 a.m. The continuance  
is necessary for the following justifiable reasons:

- 29 1. Defense counsel will be out of district on the presently scheduled hearing date.
- 30 2. Therefore, only a brief continuance is requested.
- 31 3. Assistant United States Attorney Jerry Albert has no objection to the requested  
continuance.

32 Based on the above reasons, Defendant asks he be granted a continuance of the

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1 evidentiary hearing.

2 SUBMITTED: June 12, 2009.

3 JON M. SANDS  
4 Federal Public Defender

5 */s/ Heather E. Williams*  
6 HEATHER E. WILLIAMS  
7 Assistant Federal Public Defender

8 Copy to:

9 JERRY ALBERT  
10 Assistant United States Attorney  
11 Tucson, Arizona

12 DAVID FORSBERG  
13 United States Probation Officer  
14 Tucson, Arizona

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